

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

August 6, 2021

Chief Judge Diane S. Sykes

No. 07-21-90035

IN RE COMPLAINT AGAINST A JUDGE:

MEMORANDUM

Complainant filed a misconduct complaint against the judge who reviewed and eventually dismissed his petition for habeas corpus under 28 U.S.C. § 2241. He complains that the judge failed to enter a default judgment against the respondent after complainant requested discovery and none was provided within 60 days of his request. The judge, however, expressly told complainant that his discovery request was premature because the petition was awaiting the court's preliminary review. This is a merits-related decision and not cognizable judicial misconduct. 28 U.S.C. § 352(b)(1)(A)(ii); R. FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. 4(b)(1).

The complaint is dismissed pursuant to § 352(b)(1)(A)(ii).